

U.S. Department of Labor

Mine Safety and Health Administration
201 12th Street South
Arlington, Virginia 22202-5452



MAR 01 2016

MEMORANDUM FOR MEMORANDUM FOR KEVIN G. STRICKLIN
Administrator for Coal Mine Safety and Health

FROM:

JEFFREY A. DUNCAN *Jeffrey A. Duncan*
Committee Chair
Director for Educational Policy and Development

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Associate Solicitor for Mine Safety and Health

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Reviewing Medical Officer, Contractor
Federal Occupational Health
Program Support Center
U.S. Department of Health & Human Services

SYED HAFEEZ *Syed Hafeez*
Director, Program Evaluation and Information

SUBJECT: Chargeability Review Committee Decision

Case No.: 2015-C-39 [REDACTED]

Deceased: [REDACTED]

Date of Incident: October 06, 2015

Date of Death: October 06, 2015

Operator: Mountain Fuels Inc.

Mine: Hurricane Fork GOBCO #10

Autopsy Conducted: Autopsy not performed

Death Certificate Date: October 7, 2015

Decision: Not chargeable

In a unanimous decision, the Chargeability Review Committee has determined that the death of [REDACTED], age 38, should not be charged to the mining industry. A MSHA and Virginia State Police investigation determined that [REDACTED] was not employed at the mine and was driving his personal vehicle along a public highway when it ran off the right side of the roadway. The vehicle traveled approximately 120 feet down an embankment before landing on mine property where [REDACTED] was ejected from the vehicle. He was transported to a county medical center where he was pronounced dead.

The State of Virginia certificate of death listed the immediate cause of death as head trauma, and the manner of death accidental. An autopsy was not performed.

Based on these findings, the committee members concluded that [REDACTED] death should not be charged to the mining industry.

cc: Joseph A. Main
Patricia W. Silvey
Laura V. McClintock